

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue  
New York, NY 10166  
Tel 212.351.4000  
gibsondunn.com

Orin Snyder  
Direct: +1 212.351.2400  
Fax: +1 212.351.6335  
OSnyder@gibsondunn.com

March 1, 2024

VIA ECF

The Honorable Katherine Polk Failla  
United States District Court for the Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

Re: ***AETN Television Networks, LLC v. Big Fish Entertainment, LLC et al., 22-cv-07411***  
**(S.D.N.Y.)**

Dear Judge Failla:

We represent Defendants Big Fish Entertainment LLC, Half Moon Pictures LLC, and REELZChannel, LLC (“Defendants”) in the above-captioned action. We write pursuant to Rule 9(B)(i) of this Court’s Individual Rules of Practice in Civil Cases to respectfully request permission to file Exhibit 4 to Defendants’ response to Plaintiff’s February 27, 2024 letter under seal. The exhibit has been designated Highly Confidential by Defendant REELZChannel, LLC (“REELZ”) under the governing Protective Order (Dkt. 58), on the basis that it contains REELZ’s sensitive financial information, the disclosure of which could cause competitive harm to REELZ and third parties to which the information relates. *See, e.g., Standard Inv. Chartered, Inc. v. Fin. Indus. Regulatory Auth., Ind.*, 347 F. App’x 615, 617 (2d Cir. 2009) (organization’s “interest in protecting confidential business information outweighs the qualified First Amendment presumption of public access”); *Gelb v. Am. Tel. & Tel. Co.*, 813 F. Supp. 1022, 1035 (S.D.N.Y. 1993) (granting motion to seal documents based upon the “assertion that its competitors who do not now have this information could use it to do [the party] competitive injury”).

We thank the Court for its consideration of this request.

Respectfully,

/s/ Orin Snyder  
Orin Snyder

cc: All counsel of record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 81 under seal, viewable to the Court and the parties only.

The Clerk of Court is further directed to terminate the pending motion at docket entry 80.

Dated: March 4, 2024  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE